

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

IN RE: Christopher D. Mamula and)
Theresa Heinmiller) Case No. 20-21203-GLT
))
) Chapter 13
Debtor(s).)
X Related Dkt. No. 89

ORDER OF COURT
(Check Boxes That Apply)

☒ **Confirming Plan on Final Basis** ☐ **Chapter 13 Plan dated:**

☐ **Authorizing Distributions Under Plan** ☒ **Amended Chapter 13 dated:**
On Interim Basis Solely as Adequate December 14th, 2021
Protection

IT IS HEREBY ORDERED that pursuant to the plan identified above (the “Plan”), as the same may be modified by this Order, the Chapter 13 Trustee is authorized to make distributions to creditors holding allowed claims from available funds on hand. Such distributions shall commence no earlier than the Chapter 13 Trustee’s next available distribution date after the first day of the month following the date on which this Order is entered on the Court’s docket.

IT IS FURTHER ORDERED that those terms of the Plan which are not expressly modified by this Order shall remain in full force and effect. To the extent any terms and conditions of the Plan are in conflict with this Order, the terms of this Order shall supersede and replace any conflicting terms and conditions of the Plan.

1. Unique Provisions Applicable Only to This Case: *Only those provisions which are checked below apply to this case:*

- ☐ A. For the remainder of the Plan term, the periodic monthly Plan payment is amended to be \$_____, beginning _____. To the extent there is no wage attachment in place or if an existing wage attachment is insufficient to fund the Plan payments, counsel to the Debtor(s) shall within seven (7) days hereof file a wage attachment motion (or motions) to fully fund the Plan payments, or shall sign up for and commence payments under the Trustee’s TFS online payment program.
- ☐ B. The length of the Plan is changed to a total of at least ____ months. This

statement of duration of the Plan is an approximation. The Plan shall not be completed until the goals of the Plan have been achieved.

- ☐ C. To the extent this Order is entered as a form of adequate protection, the Trustee is authorized to distribute to secured and priority creditors with percentage fees payable to the Chapter 13 Trustee on receipt as provided for in 28 U.S.C. §586. ***Continued conciliation conferences before the Trustee or contested hearings before the Court shall proceed on such dates and times as appear on the case docket.*** The Trustee is deemed to have a continuous objection to the Plan until such time the Plan is confirmed on a final basis.

PARTIES ARE REMINDED OF THEIR DUTY TO MONITOR THE COURT'S DOCKET AND ATTEND DULY SCHEDULED HEARINGS. THE PARTIES ARE FURTHER REMINDED OF THEIR DUTY TO MEET AND CONFER AND OTHERWISE ENGAGE IN GOOD FAITH SETTLEMENT NEGOTIATIONS WITH RESPECT TO ANY OBJECTION TO PLAN CONFIRMATION. FAILURE TO COMPLY WITH THESE DUTIES MAY RESULT IN THE IMPOSITION OF SANCTIONS AGAINST THE OFFENDING PARTY.

- ☐ D. Plan confirmation is subject to the resolution of all actions to determine the avoidability, priority, or extent of liens; including determination of the allowed amount of secured claims under *11 U.S.C. §506*, disputes over the amount and allowance of claims entitled to priority under *11 U.S.C. §507*, and all objections to claims.
- ☐ E. The allowed claims of general unsecured creditors shall be paid from available funds on a pro rata basis, which may represent an increase or decrease in the amount projected in the Plan.
- ☐ F. The following utility creditor _____ shall be paid monthly payments of \$_____ beginning with the Trustee's next distribution and continuing for the duration of the Plan's term, to be applied by that creditor to its administrative claim, ongoing budget payments and/or security deposit. These payments shall be at the third distribution level.
- ☒ G. The claims of the following creditors shall govern as to amount, classification and rate of interest (or as otherwise noted), unless the Debtor(s) successfully objects to the claim:
*IRS CL#9 (priority portion paid without interest)
- ☐ H. The secured claims of the following creditors shall govern as to claim amount, to be paid at the modified plan interest rate in a monthly amount to be determined by Trustee to pay the claim in full during the Plan term:

- ☐ I. The secured claim(s) of the following creditors shall govern as to claim amount, to be paid at the indicated interest rate in a monthly amount to be determined by Trustee to pay in full during the Plan term:
-
- ☐ J. The secured claim(s) of the following creditor(s) shall govern, following all allowed post-petition payment change notices filed of record:
-
- ☒ K. Additional Terms and Conditions:
*Sallie Mae Bank CL#19 being paid \$161.87/mo as specially classified unsecured creditor at Trustee's level 28 to begin from month 1 of case.
*Provision for 2020 IRS taxes (in the amount of \$10,800) to be paid at 0% interest
*LVNV Funding CL#1 to be paid per consent order entered 5-21-20 at doc #33
*The estimated pool of funds available to be paid to non-specially classified general unsecured creditors and estimated percentage dividend are revised to \$15,420 (62%).
*Terms and conditions of Order entered 11/24/21 at Doc 71 are incorporated herein, particularly those at Paragraph 5 of the Order.

2. Deadlines. The following deadlines are hereby established and apply to this case:

A. Applications to retain brokers, sales agents, or other professionals. If the Plan contemplates a sale or sales of assets or the recovery of litigation proceeds as a source of funding, Debtor(s) shall file motion(s) to employ the necessary professionals within thirty (30) days hereof.

B. Review of Claims Docket and Objections to Claims. Pursuant to *W.P.A.LBR 3021-1(c)(2)*, the Debtor(s) (or Debtor(s)' attorney, if represented), shall review the proofs of claim filed in this case and shall file objections (1) to any disputed timely filed claims within ninety (90) days after the claims bar date, or (2) to any disputed late filed or amended claims within ninety (90) days after the amended and/or late claims are filed and served. Absent a timely objection or further order of the Court, the timely filed proof of claim will govern as to the classification and amount of the claim; provided however, no creditor shall receive a distribution in this case until such time as the relevant allowed claim is provided for in the Plan or any subsequent amended plan.

C. Motions or Complaints Pursuant to §§506, 507 or 522. All actions to determine the priority, avoidability, or extent of liens, and all actions pursuant to *11 U.S.C. §§506, 507 and 522* shall be filed within ninety (90) days after the claims bar date.

D. Filing Amended Plans or Other Stipulation. Within fourteen (14) days after the Bankruptcy Court resolves the priority of a claim, avoidability of a lien or interest, or extent of a lien, or any objection to claim, the Debtor(s) shall file an Amended Plan or Stipulated Order Modifying Plan to provide for the allowed amount of the lien or claim if the allowed amount and/or

treatment differs from the amount and/or treatment stated in the Plan. The Debtor(s) or Counsel for Debtor(s) should inquire with the Chapter 13 Trustee regarding whether an Amended Plan or proposed Stipulated Order Modifying Plan is the preferred course of action. In addition, if after the conclusion of the claims bar date and any associated litigation, the Plan is underfunded, Debtor(s) shall also file (1) an amended Plan increasing the monthly Plan payment, and (2) a revised wage attachment to provide for the increased funding.

3. Additional Provisions. The following additional provisions apply in this case:

A. Any creditor who files or amends a proof of claim shall serve a copy on the Debtor(s) or counsel for the Debtor(s).

B. The Trustee shall hold in reserve any distributions under the Plan to any creditor who holds a claim that is provided for in the Plan but which is subject to a duly filed claims objection. Upon entry of further order of the Court, or ultimate allowance of the disputed claim provided for in the Plan, the Trustee may release the reserve and make distribution to the affected creditor. Unless otherwise permitted by separate Order of Court, Trustee shall not commence distributions to unsecured creditors until after the later of the government bar date and a filed notice of an intention to pay claims (the later date being the "Earliest Unsecured Distribution Date"). Trustee may, but has no obligation to, further defer distributions to unsecured creditors until a later date after the Earliest Unsecured Distribution Date.

C. Any creditor whose payment changes due to variable interest rates, change in escrow, or change in monthly payments, shall notify the Trustee, Debtor(s)' counsel and Debtor(s) at least twenty-one (21) days prior to the change taking effect.

D. Debtor(s)' counsel must file a fee application in accordance with *W.P.A.LBR 2016-1* before attorney fees in excess of the "no look" provision (including retainer) will be allowed or paid.

E. The Trustee shall file a *Certificate of Default and Request for Dismissal* of the case in the event of a material Plan default.

F. In the event that any order is entered in this case granting relief from the automatic stay to a secured creditor, then the Trustee shall make no further disbursements to any creditor on account of any allowed ***secured claim*** (that is secured by the property subject to the relief from stay order), unless otherwise directed by further Order of Court.

G. The Debtor(s) shall maintain all policies of insurance on all property of the Debtor(s) and this estate as required by law and/or contract.

H. The Debtor(s) shall pay timely all post-confirmation tax liabilities directly to the appropriate taxing authorities as they become due.

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Dated: 1/28/22

CC: All parties in interest served by Clerk


GREGORY J. TADDONIO, hct
UNITED STATES BANKRUPTCY COURT

In re:
Christopher D. Mamula
Theresa Heinmiller
Debtors

Case No. 20-21203-GLT
Chapter 13

CERTIFICATE OF NOTICE

District/off: 0315-2
Date Rcvd: Jan 28, 2022

User: auto
Form ID: pdf900

Page 1 of 4
Total Noticed: 45

The following symbols are used throughout this certificate:

Symbol	Definition
+	Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.
##	Addresses marked '##' were identified by the USPS National Change of Address system as undeliverable. Notices will no longer be delivered by the USPS to these addresses; therefore, they have been bypassed. The debtor's attorney or pro se debtor was advised that the specified notice was undeliverable.

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Jan 30, 2022:

Recip ID	Recipient Name and Address
db/jdb	+ Christopher D. Mamula, Theresa Heinmiller, 3920 South Mountain Road, Knoxville, MD 21758-9603
15228430	Carvana, LLC, PO Box 29018 Phoenix AZ 85038
15227618	+ Conserve, PO Box 7, Fairport, NY 14450-0007
15227625	+ Frederick Weinberg, Esq., 375 E. Elm Street, Suite 210, Conshohocken, PA 19428-1973
15236319	+ JPMorgan Chase Bank, N.A., s/b/m/t Chase Bank USA, N.A., c/o National Bankruptcy Services, LLC, P.O. Box 9013, Addison, Texas 75001-9013
15227628	+ Mariner Finance, LLC, 8211 Town Center Drive, Nottingham, MD 21236-5904
15250386	+ Regency Finance Company, 8211 Town Center Drive, Nottingham, MD 21236-5904
15227635	+ SST/BRWRFRST, 4315 Picket Road, Saint Joseph, MO 64503-1600
15227634	+ Second Round LP, c/o Ratchford Law Group, 409 Lackawana Ave., Ste 3C, Scranton, PA 18503-2059
15227636	+ U.S. Attorney's Office, Western District of Pennsylvania, Joseph F. Weis, Jr. United States Courth, 700 Grant Street, Suite 4000, Pittsburgh, PA 15219-1956
15227637	+ USAA Savings Bank, 10750 McDermott Freeway, San Antonio, TX 78288-1600

TOTAL: 11

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI). Electronic transmission is in Eastern Standard Time.

Recip ID	Notice Type: Email Address	Date/Time	Recipient Name and Address
cr	+ Email/PDF: rmscedi@recoverycorp.com	Jan 28 2022 23:40:23	PRA Receivables Management, LLC, PO Box 41021, Norfolk, VA 23541-1021
15227613	+ Email/Text: BarclaysBankDelaware@tsico.com	Jan 28 2022 23:33:00	Barclays Bank of Delaware, PO Box 8803, Wilmington, DE 19899-8803
15227614	+ Email/Text: dl-collectionsbankruptcyteam@drivetime.com	Jan 28 2022 23:33:00	Bridgecrest, PO Box 29018, Phoenix, AZ 85038-9018
15227616	+ Email/Text: GenesisFS@ebn.phinsolutions.com	Jan 28 2022 23:33:00	CB Indigo/GF, PO Box 4499, Beaverton, OR 97076-4499
15227621	+ Email/PDF: MerrickBKNotifications@Resurgent.com	Jan 28 2022 23:40:21	CW Nexus Credit Card, 101 Crossways Park, Woodbury, NY 11797-2020
15232261	Email/PDF: MerrickBKNotifications@Resurgent.com	Jan 28 2022 23:40:21	CW Nexus Credit Card Holdings I, LLC, Resurgent Capital Services, PO Box 10368, Greenville, SC 29603-0368
15227615	+ Email/PDF: AIS.cocard.ebn@aisinfo.com	Jan 28 2022 23:40:21	Capital One Bank, PO Box 30281, Salt Lake City, UT 84130-0281
15229872	Email/PDF: AIS.cocard.ebn@aisinfo.com	Jan 28 2022 23:40:29	Capital One Bank (USA), N.A., by American InfoSource as agent, PO Box 71083, Charlotte, NC 28272-1083
15227617	+ Email/Text: BNC-ALLIANCE@QUANTUM3GROUP.COM	Jan 28 2022 23:33:00	Comenity Capital Ultra, PO Box 182120, Columbus, OH 43218-2120
15227619	+ Email/PDF: creditonebknofications@resurgent.com		

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		Jan 28 2022 23:40:30	Credit One Bank, 6801 Cimarron Road, Las Vegas, NV 89113-2273
15227620	+ Email/PDF: creditonebknotifications@resurgent.com	Jan 28 2022 23:40:21	Credit One Bank, PO Box 98873, Las Vegas, NV 89193-8873
15227623	Email/Text: mrdiscen@discover.com	Jan 28 2022 23:32:00	Discover Financial Service, PO Box 15316, Wilmington, DE 19850
15227624	+ Email/PDF: Citi.BNC.Correspondence@citi.com	Jan 28 2022 23:40:27	DSNB/Macy's, PO Box 8218, Mason, OH 45040
15252150	Email/Text: bnc-quantum@quantum3group.com	Jan 28 2022 23:33:00	Department Stores National Bank, c/o Quantum3 Group LLC, PO Box 657, Kirkland, WA 98083-0657
15229159	Email/Text: mrdiscen@discover.com	Jan 28 2022 23:32:00	Discover Bank, Discover Products Inc, PO Box 3025, New Albany, OH 43054-3025
15253303	+ Email/Text: kburkley@bernsteinlaw.com	Jan 28 2022 23:33:00	Duquesne Light Company, c/o Bernstein-Burkley, P.C., 707 Grant St., Suite 2200, Gulf Tower, Pittsburgh, PA 15219-1945
15227626	+ Email/Text: sbse.cio.bnc.mail@irs.gov	Jan 28 2022 23:33:00	IRS, PO Box 7346, Philadelphia, PA 19101-7346
15227627	Email/PDF: ais.chase.ebn@aisinfo.com	Jan 28 2022 23:40:25	JPMCB Card Services, PO Box 15369, Wilmington, DE 19850
15236319	+ Email/Text: JPMCBKnotices@nationalbankruptcy.com	Jan 28 2022 23:32:00	JPMorgan Chase Bank, N.A., s/b/m/t Chase Bank USA, N.A., c/o National Bankruptcy Services, LLC, P.O. Box 9013, Addison, Texas 75001-9013
15330071	+ Email/PDF: resurgentbknotifications@resurgent.com	Jan 28 2022 23:40:22	LVNV Funding LLC, PO Box 10587, Greenville, SC 29603-0587
15227629	+ Email/Text: bankruptcydpt@mcmcg.com	Jan 28 2022 23:33:00	Midland Credit Management, 320 East Big Beaver, Suite 300, Troy, MI 48083-1271
15250114	+ Email/Text: bankruptcydpt@mcmcg.com	Jan 28 2022 23:33:00	Midland Credit Management, Inc., PO Box 2037, Warren, MI 48090-2037
15227630	+ Email/Text: bankruptcydpt@mcmcg.com	Jan 28 2022 23:33:00	Midland Funding, 320 East Big Beaver Rd. #300, Troy, MI 48083-1271
15249142	+ Email/Text: bankruptcydpt@mcmcg.com	Jan 28 2022 23:33:00	Midland Funding LLC, PO Box 2011, Warren, MI 48090-2011
15227631	+ Email/Text: bankruptcy@moneylion.com	Jan 28 2022 23:33:00	Moneylion Inc., PO Box 1547, Sandy, UT 84091-1547
15227632	Email/PDF: PRA_BK2_CASE_UPDATE@portfoliorecovery.com	Jan 28 2022 23:40:22	Portfolio Recovery, 120 Corporate Blvd., Suite 100, Norfolk, VA 23502
15246721	Email/PDF: PRA_BK2_CASE_UPDATE@portfoliorecovery.com	Jan 28 2022 23:40:30	Portfolio Recovery Associates, LLC, POB 12914, Norfolk VA 23541
15231190	+ Email/Text: ebnpeoples@grblaw.com	Jan 28 2022 23:32:00	Peoples Natural Gas Company LLC, c/o S. James Wallace, P.C., 845 N. Lincoln Avenue, Pittsburgh, PA 15233-1828
15242782	Email/Text: bnc-quantum@quantum3group.com	Jan 28 2022 23:33:00	Quantum3 Group LLC as agent for, Deville Asset Management Limited, PO Box 788, Kirkland, WA 98083-0788
15250816	Email/Text: bnc-quantum@quantum3group.com	Jan 28 2022 23:33:00	Quantum3 Group LLC as agent for, Comenity Capital Bank, PO Box 788, Kirkland, WA 98083-0788
15251767	Email/Text: ebn_bkrt_forms@salliemae.com	Jan 28 2022 23:33:00	Sallie Mae, P.O. Box 3319, Wilmington, DE 19804-4319
15227633	+ Email/Text: ebn_bkrt_forms@salliemae.com	Jan 28 2022 23:33:00	Sallie Mae, PO Box 3229, Wilmington, DE 19804-0229
15228024	+ Email/PDF: gecsedl@recoverycorp.com	Jan 28 2022 23:40:27	Synchrony Bank, c/o of PRA Receivables Management, LLC, PO Box 41021, Norfolk, VA 23541-1021

District/off: 0315-2

User: auto

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15227638 + Email/Text: notices@burt-law.com

Jan 28 2022 23:33:00

Velocity Investment, c/o Burton Neil & Assoc.,
1060 Andrew Dr., Suite 170, West Chester, PA
19380-5601

15250569 Email/PDF: ebn_ais@aisinfo.com

Jan 28 2022 23:40:26

Verizon, by American InfoSource as agent, PO
Box 4457, Houston, TX 77210-4457

TOTAL: 35

BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, *duplicate of an address listed above, *P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

Recip ID	Bypass Reason	Name and Address
cr		AmeriHome Mortgage Company, LLC
cr		Carvana, LLC
cr		Discover Bank
cr	*+	Duquesne Light Company, c/o Bernstein-Burkley, P.C., 707 Grant Street, Suite 2200, Gulf Tower, Pittsburgh, PA 15219-1945
cr	*+	LVNV Funding LLC, PO Box 10587, Greenville, SC 29603-0587
cr	*+	Peoples Natural Gas Company LLC, c/o S. James Wallace, P.C., 845 N. Lincoln Ave., Pittsburgh, PA 15233-1828
15227622	##+	Deville Asset Management, 1132 Glad Road, Colleyville, TX 76034-4227

TOTAL: 3 Undeliverable, 3 Duplicate, 1 Out of date forwarding address

NOTICE CERTIFICATION

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Jan 30, 2022

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on January 28, 2022 at the address(es) listed below:

Name	Email Address
Amy L. Zema	on behalf of Debtor Christopher D. Mamula amy@zomalawoffice.com
Amy L. Zema	on behalf of Joint Debtor Theresa Heinmiller amy@zomalawoffice.com
Bradley Joseph Osborne	on behalf of Creditor Carvana LLC bosborne@hoflawgroup.com, ckohn@hoflawgroup.com
Brian Nicholas	on behalf of Creditor AmeriHome Mortgage Company LLC bnicholas@kmlawgroup.com
Garry Alan Masterson	on behalf of Creditor Discover Bank pitecf@weltman.com
Keri P. Ebeck	on behalf of Creditor Duquesne Light Company kebeck@bernsteinlaw.com jbluemle@bernsteinlaw.com
Office of the United States Trustee	ustpregion03.pi.ecf@usdoj.gov
Ronda J. Winnecour	cmecf@chapter13trusteedpa.com

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S. James Wallace

on behalf of Creditor Peoples Natural Gas Company LLC ecfpeoples@grblaw.com Equitablebankruptcy@peoples-gas.com

TOTAL: 9